

# HOUSE BILL REPORT

## SB 5821

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*As Reported By House Committee on:  
Environmental Affairs*

**Title:** An act relating to the creation of air pollution control authorities.

**Brief Description:** Modifying provisions relating to the creation of air pollution control authorities.

**Sponsor(s):** Senators Craswell, Owen and Oke.

**Brief History:**

Reported by House Committee on:  
Environmental Affairs, April 4, 1991, DPA.

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**HOUSE COMMITTEE ON  
ENVIRONMENTAL AFFAIRS**

**Majority Report:** *Do pass as amended.* Signed by 13 members: Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; Neher; Phillips; Pruitt; D. Sommers; Sprenkle; and Van Luven.

**Staff:** Rick Anderson (786-7114).

**Background:** There are nine local air pollution control authorities in the state, covering 25 of the 39 counties. Fourteen counties do not have local authorities; air quality programs within those counties are administered by the Department of Ecology. Four counties have elected to have their own single county authority: Spokane, Yakima, Douglas and Grant counties.

Current law establishes a process for creating and dissolving single or multi-county local air authorities. There are no specific provisions in current law allowing a county to withdraw from a multi-county authority. However, San Juan County did withdraw from the Northwest Air Pollution Control Authority several years ago.

Local air pollution control authorities are governed by local elected officials.

**Summary of Amended Bill:** Provisions are established authorizing any county within a multi-county air pollution

control authority to withdraw from that authority. To withdraw, a county must receive a majority vote from the governing body of the multi-county authority and pay the fair market value of all debts, equipment, and assets provided by the multi-county authority.

A county withdrawing from a multi-county authority may create its own single county authority, join another multi-county authority, or be regulated by the Department of Ecology.

**Amended Bill Compared to Original Bill:** The amendment adopted by the committee applies to all counties, the original bill applies only to Kitsap County. The amendment requires a majority vote by the governing body of the multi-county authority prior to withdrawal; the original bill automatically removes Kitsap County from its multi-county authority on January 1, 1992, unless the county decides against withdrawal.

**Fiscal Note:** Not requested.

**Effective Date of Amended Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Kitsap County has different wind patterns than does the other counties in its local air authority. Kitsap County should not be subject to burn bans if the quality of air in Kitsap County does not exceed established levels. A process for withdrawing from a multi-county authority needs to be established.

**Testimony Against:** None.

**Witnesses:** Senator Ellen Craswell (pro); L. V. Denson, Hansville Chamber of Commerce (pro); R. A. Mitchusson, Mayor, City of Poulsbo (pro); Lloyd Parkhurst, citizen from Bremerton (pro); and Mike Ryherd, Puget Sound Air Pollution Control Authority (pro with amendment).